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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/800,211	03/15/2004	Edward M. Furman	LEE 200390	8550
27885	7590	08/15/2006		
FAY, SHARPE, FAGAN, MINNICH & MCKEE, LLP 1100 SUPERIOR AVENUE, SEVENTH FLOOR CLEVELAND, OH 44114			EXAMINER SHAW, CLIFFORD C	
			ART UNIT	PAPER NUMBER

1725

DATE MAILED: 08/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/800,211

Applicant(s)

FURMAN ET AL.

Examiner

Clifford C. Shaw

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 June 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-19 and 21-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 10-19 and 21 is/are allowed.
- 6) ☒ Claim(s) 1-9, 22 and 23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

**Detailed Action**

1.) The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2.) Claims 1-9, 22, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Feichtinger et al. (2004/0026392). Figures 1 and 4 and the discussion at paragraphs 52 through 86 of the publication of Feichtinger et al. (2004/0026392) disclose a wire feeder for an arc welder and an arc welder system including a wireless communications network using RF and based on modules 29 wherein each module 29 may have its own identification code (see paragraph 73 in Feichtinger et al. (2004/0026392)). The power supplies and wire feeders in the system of Feichtinger et al. (2004/0026392) each have a module 29 attached thereto. The claims differ from Feichtinger et al. (2004/0026392) in calling for: starting signals in claims 1 and 7; the power supplies to receive signals from the wire feeders in claims 10 and 14; signals unique to a power source in claims 22 and 23. These differences do not patentably distinguish over the prior art. It is considered obvious that the control system in Feichtinger et al. (2004/0026392) control any controllable feature of the welding system, including starting as claimed. In regard to claims 10 and 14, the individual modules in the system of Feichtinger et al. (2004/0026392) will all receive signals from each other (note the reference to the "ALOHA principle" in paragraphs 77 and 78 --- as is well known, ALOHA networking was a wireless, RF precursor to Ethernet

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protocols thus necessarily implying that the network nodes are all in communication with one another). It is considered obvious that the individual modules 29 that are respectively associated with power supply and the wire feed units will communicate with each other, since they are part of the overall network. In regard to claims 22 and 23, the identification codes for the modules 29 in Feichtinger et al. (2004/0026392) must be unique. It is considered obvious that these codes would uniquely identify the power supply and the wire feeder units that the modules 29 are mounted on because there is only one module 29 mounted on each power supply or wire feeder.

3.) Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hongu et al. (6,384,375). Figure 3 and the discussion at column 9, line 40 – line 67 in the patent to Hongu et al. (6,384,375) disclose an electric welder with features claimed, including the transmission of a signal unique to the power supply on an output lead thereof at element 21. The claim differs in alluding to a plurality of power sources. This difference does not patentably distinguish over the prior art. Insofar as the allusion to plural power sources provides any structural limitation to the single electric welder being claimed, this limitation is obvious over Hongu et al. (6,384,375). In column 9, lines 55-60, Hongu et al. (6,384,375) teaches that different models of power supply will have different model identification signals. It is considered obvious that different models of power supply be present in one location, the reason being to provide for different functionality in the same welding location. Since each power supply has its own identification signal, the claim language would be satisfied.

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4.) Claims 10-19 and 21 are allowable over the prior art of record. None of the prior art of record teaches a network with all the features claimed, particularly the limitations directed to: a plurality of power sources; each power source having a transmitter to transmit a unique coded signal; and a wire feeder transmitting a signal coded on the basis of the unique power supply code in the manner set forth in the claims.

5.) Applicant's arguments filed on 6/8/2006 have been fully considered but they are not persuasive. Claims 1-9, 22, and 23 are considered obvious over the prior art for the reasons set forth above. Claims 10-19 and 21 have been allowed.

6.) Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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Any inquiry concerning this communication should be directed to Clifford C Shaw at telephone number 571-272-1182. The examiner can normally be reached on Monday through Friday of the first week of the pay period and on Tuesday through Friday of the second week of the pay period.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Patrick J. Ryan, can be reached at 571-272-1292. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Clifford C Shaw  
Primary Examiner  
Art Unit 1725

August 10, 2006